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Sheet	1	of	8
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Application Number	10/754,115
Filing Date	January 7, 2004
First Named Inventor	Timothy D. Hey
Art Unit	
Examiner Name	
Attorney Docket Number	DAS-104XC1

[illegible]

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>6</sup> (if known)			
RK	7 /	WO 95/00647 A1	01-05-1995	Smigielski	(review all)
	8 /	WO 97/17432 A1.	05-15-1997	Ensign et al.	(review all)
	9 /	WO 98/08388 A1	03-05-1998	Jarrett et al.	(review all)
	10 /	WO 98/08932 A1	03-05-1998	Ensign et al.	(review all)
	11 /	WO 98/50427 A1	11-12-1998	Ensign et al.	(review all)
	12 /	WO 99/03328 A1	01-28-1999	East	(review all)

**Examiner  
Signature**

Rosanne Vasson

Date  
Cons

2122/06

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

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U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature	<i>Norma Korman</i>	Date Considered	2/22/06
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/754,115
				Filing Date	January 7, 2004
				First Named Inventor	Timothy D. Hey
				Art Unit	
				Examiner Name	
Sheet	3	of	8	Attorney Docket Number	OAS-104XC1

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		Country Code*~Number*~Kind Code* (if known)				
PK	19	WO 04/02223 A2	01-08-2004	Bintrim et al.	(Review all)	

Examiner Signature	<i>Rosanne Koss</i>	Date Considered	2/22/06
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Sheet	4	of	8	Attorney Docket Number	DAS-104XC1

NON PATENT LITERATURE DOCUMENTS			
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fk	20 /	BOWEN et al., "Insecticidal toxins from the bacterium Photorhabdus luminescens," Science 280 (5372), 2129-2132 (1998)	
	21 /	BOWEN et al., Insecticidal toxin complex protein TcaC (Photorhabdus luminescens), GENBANK Accession No. AAC38625 (gi:3265037), June 30, 1998	
	22 /	BOWEN et al., Insecticidal toxin complex protein TcbA (Photorhabdus luminescens), GENBANK Accession No. AAC38627 (gi:3265040), June 30, 1998	
	23 /	FFRENCH-CONSTANT et al., "Photorhabdus toxins: novel biological insecticides," Current Opinion in Microbiology (1999), p. 284-288, vol. 12	
	24 /	FFRENCH-CONSTANT et al., "Novel insecticidal toxins from nematode-symbiotic bacteria," Cellular and Mol. Life Sciences (5/00), p. 828-833, vol. 57, no. 5	
	25 /	FFRENCH-CONSTANT et al., "A Genomic Sample Sequence of the Entomopathogenic Bacterium Photorhabdus....," Appl. Environ. Microbiol. (8/00), p. 3310-3329, vol. 66, no. 8	
	26 /	FORST et al., "Molecular Biology of the Symbiotic-Pathogenic Bacteria Xenorhabdus spp. and Photorhabdus spp.," Microbiological Reviews (3/96), p. 21-43, vol. 60, no. 1	
	27 /	HURST et al., "Plasmid-Located Pathogenicity Determinants of Serratia entomophila....," Journal of Bacteriology (09/00), p. 5127-5138, vol. 182, no. 18	
	28 /	HURST et al., SepA (Serratia entomophila), GENBANK Accession No. AAG09642 (gi:9963678)	
	29 /	HURST et al., SepB (Serratia entomophila), GENBANK Accession No. AAG09643 (gi:9963679)	

Examiner Signature	<i>Rosanne Korman</i>	Date Considered	2/22/06
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		Examiner Name			
Sheet	5	of	8	Attorney Docket Number	DAS-104XC1

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RK	30	HURST et al., SepC (Serratia entomophila), GENBANK Accession No. AAG09644 (gi:9963680)	
	31	MERLO et al., Toxin A (Photobacterium luminescens), GENBANK Accession No. AAF05542 (gi:6176340), November 2, 1999	
	32	MORGAN et al., "Sequence Analysis of Insecticidal Genes from Xenorhabdus nematophilus PMF1296," Appl. Environ. Microbiol. (5/01), p. 2062-2069, vol. 67, no. 5	
	33	MORGAN et al., Xenorhabdus nematophilus genes, GENBANK Accession No. AJ308438, May 11, 2001	
	34	MORGAN et al., Putative chitinase (Xenorhabdus nematophila), GENBANK Accession No. CAC38398 (gi:14041727), May 11, 2001	
	35	MORGAN et al., XptA1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38401 (gi:14041730), May 11, 2001	
	36	MORGAN et al., XptB1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38402 (gi:14041731), May 11, 2001	
	37	MORGAN et al., XptC1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38403 (gi:14041732), May 11, 2001	
	38	MORGAN et al., XptA2 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38404 (gi:14041733), May 11, 2001	
	39	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00083266 (gi:23058175)	

Examiner Signature	<i>Norman Kern</i>	Date Considered	2/22/06
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Sheet	6	of	8	Attorney Docket Number	DAS-104XC1

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12X	40 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00083267 (gi:23058176)	
	41 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas fluorescens...), GENBANK Accession No. ZP_00084399 (gi:23059431)	
	42 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00084400 (gi:23059432)	
	43 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00084401 (gi:23059433)	
	44 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00084403 (gi:23059435)	
	45 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00125560 (gi:23470227)	
	46 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas syringae...), GENBANK Accession No. ZP_00126265 (gi:23470933)	
	47 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00127864 (gi:23472540)	
	48 /	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00127865 (gi:23472541)	
✓	49 /	NCBI Microbial Genomes Annotation Project, Hypothetical protein (Pseudomonas syringae...), GENBANK Accession No. ZP_00127867 (gi:23472543)	

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Sheet

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	51	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00127869 (gi:23472545)	
	52	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00127870 (gi:23472546)	
	53	NCBI Microbial Genomes Annotation Project, COG3209: Rhs family protein (Pseudomonas...), GENBANK Accession No. ZP_00123877 (gi:23468542)	
	54	PETTERSSON et al., "Transfer of Bacillus lentimorbus and Bacillus popilliae to the genus Paenibacillus...", Int. J. Syst. Bacteriol. (1999), p. 531-540, vol. 49, no. 2 (abstract)	
	55	SHIDA et al., "Emended description of Paenibacillus amylolyticus and description of Paenibacillus...", Int. J. Syst. Bacteriol. (1997), p. 299-306, vol. 47, no. 2 (abstract)	
	56	WATERFIELD et al., "Oral Toxicity of Photorhabdus luminescens W14 Toxin Complexes in Escherichia coli," Appl. Environ. Microbiol. (11/01), p. 5017-5024, vol. 67, no. 11	
	57	WATERFIELD et al., "The toxin complex genes of Photorhabdus: a growing gene family," Trends in Microbiology (04/01), p. 185-191, vol. 9, no. 4	
	58	WATERFIELD et al., "Genomic islands in Photorhabdus," Trends Microbiol. 10 (12), 541-545 (2002)	
	59	WATERFIELD et al., Toxin complex protein (Photorhabdus luminescens), GENBANK Accession No. AAL18473 (gi:16416915)	

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RK	60	✓ WATERFIELD et al., TcdA1; toxin complex protein (Photorhabdus luminescens), GENBANK Accession No. AAL18486 (gi:16416929)	
	61	✓ WATERFIELD et al., TcdB1; toxin complex protein (Photorhabdus luminescens), GENBANK Accession No. AAL18487 (gi:16416930)	
	62	✓ WATERFIELD et al., TccC2 (Photorhabdus luminescens), GENBANK Accession No. AAL18492 (gi:27479639)	
	63	✓ WATERFIELD et al., TccC4 (Photorhabdus luminescens), GENBANK Accession No. AAO17196 (gi:27479669)	
	64	✓ WATERFIELD et al., TcdA2 (Photorhabdus luminescens), GENBANK Accession No. AAO17201 (gi:27479674)	
	65	✓ WATERFIELD et al., TcdB2 (Photorhabdus luminescens), GENBANK Accession No. AAO17202 (gi:27479675)	
	66	✓ WATERFIELD et al., TccC3 (Photorhabdus luminescens), GENBANK Accession No. AAO17204 (gi:27479677)	
	67	✓ WATERFIELD et al., TcdA4 (Photorhabdus luminescens), GENBANK Accession No. AAO17209 (gi:27479682)	
	68	✓ WATERFIELD et al., TccC5 (Photorhabdus luminescens), GENBANK Accession No. AAO17210 (gi:27479683)	

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